

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

ATTORNEY DOCKET NO.: 044574-5022-01

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**SURVIVIN, A PROTEIN THAT INHIBITS CELLULAR APOPTOSIS, AND ITS MODULATION**

the specification of which:

is attached hereto; or

was filed as United States application Serial No. \_\_\_\_\_ on November 20, 1997 and was amended on \_\_\_\_\_ (if applicable); orwas filed as PCT international application Number \_\_\_\_\_ on \_\_\_\_\_ and was amended under PCT Article 19  
on \_\_\_\_\_ (if applicable).I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by  
any amendment referred to above.I acknowledge the duty to disclose to the U.S. Patent and Trademark Office information which is material to the patentability of claims  
presented in this application in accordance with Title 37, Code of Federal Regulations, §1.56.I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's  
certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below  
and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s)  
designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before  
that of the application(s) of which priority is claimed:**PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. §119:**

COUNTRY (if PCT, indicate PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C § 119
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

Combined Declaration For Patent Application and Power of Attorney - (Continued)  
(includes Reference to PCT International Applications)

ATTORNEY DOCKET NO.: 044481-5039-01

I hereby claim the benefits under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

U.S. PROVISIONAL APPLICATIONS

U.S. PROVISIONAL APPLICATION NO.	U.S. FILING DATE
60/031,435	November 20, 1996

I hereby claim the benefit under Title 35, United States Code, §119(a)-(e) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. §120:

U.S. APPLICATIONS		STATUS (Check One)		
U.S. APPLICATION NO.	U.S. FILING DATE	PATENTED	PENDING	ABANDONED

PCT APPLICATIONS DESIGNATING THE U.S.			STATUS (Check One)		
PCT APPLN. NO.	PCT FILING DATE	U.S. SERIAL NO.	PATENTED	PENDING	ABANDONED

**POWER OF ATTORNEY:** as a named inventor, I hereby appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

**Morgan, Lewis & Bockius LLP**

Robert J. Gaybrick, Reg. No. 27,890; Richard S. Meyer, Reg. No. 32,541; C. Scott Talbot, Reg. No. 34,262;  
Reid G. Adler, Reg. No. 30,988; J. Michael Thesz, Reg. No. 40,354; John G. Smith, Reg. No. 33,818;  
Song K. Jung, Reg. No. 35,210; Matthew T. Bailey, Reg. No. 33,829; Jeffrey A. Lindeman, Reg. No. 34,658;  
John D. Zele, Reg. No. 39,887; Mary Jane Boswell, Reg. No. 33,652; Michele V. Frank, Reg. No. 37,028,  
Michael P. Tierney, Reg. No. 35,388; Erin Harriman, Reg. No. 40,410; Robert J. Goodell, Reg. No. 41,040  
K. Karen Loewenstein, Reg. No. 41,161; Michael S. Lee, Reg. No. 41,434; Howard R. Richman, Reg. No. 41,451;  
Paul A. Fournier, Reg. No. 41,023.

Direct Telephone Calls To:  
(name and telephone number)

Reid G. Adler  
202-467-7756

The undersigned hereby authorizes the registered practitioners of Morgan, Lewis & Bockius LLP to accept and follow instructions from \_\_\_\_\_ as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the registered practitioners of Morgan, Lewis & Bockius LLP will be so notified by the undersigned.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF SOLE  
OR FIRST INVENTOR

Dario C. Altieri

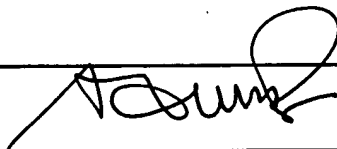
RESIDENCE &  
CITIZENSHIP

CITY AND STATE OR CITY AND FOREIGN COUNTRY  
100 Reservoir Street  
Hamden, CT 06517

COUNTRY OF  
CITIZENSHIP  
ITALY

POST OFFICE ADDRESS

FIRST OR SOLE INVENTOR'S SIGNATURE



DATE 12/11/97

FULL NAME OF  
SECOND INVENTOR

RESIDENCE &  
CITIZENSHIP

CITY AND STATE OR CITY AND FOREIGN COUNTRY

COUNTRY OF  
CITIZENSHIP

POST OFFICE ADDRESS

SECOND INVENTORS SIGNATURE

DATE



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JANUARY 05, 1999

PTAS

MORGAN, LEWIS & BOCKIUS LLP  
REID G. ADLER  
1800 M STREET, NW  
WASHINGTON, DC 20036

RECEIVED

JAN 8 1999

\*100827912A\*

MORGAN, LEWIS & BOCKIUS LLP

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/09/1998

REEL/FRAME: 9439/0997

NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

ALTIERI, DARIO C.

DOC DATE: 12/11/1997

ASSIGNEE:

YALE UNIVERSITY  
451 COLLEGE STREET  
NEW HAVEN, CONNECTICUT 06520

SERIAL NUMBER: 08975080

FILING DATE: 11/20/1997

PATENT NUMBER:

ISSUE DATE:

ANTIONE ROYALE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

RE

09-14-1998

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

SHEET



100827912

Attorney Docket No.: 044574-5022-01

To the Assistant Commissioner for Patents:  
Please record the attached original documents or copy thereof.

ATTN: BOX ASSIGNMENT

1. Name of conveying party(ies):

Dario C. ALTIERI

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: Yale University

Internal Address:

Street Address: 451 College Street

City: New Haven

State: Connecticut

Zip: 06520

Additional name(s) & address(es) attached?

☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other

Execution Date: December 11, 1997

4. Application number(s) or patent number(s):

If this document is being filed together with a new application the execution date of the application is:

A. Patent Application No.(s): 08/975,080

B. Patent No.(s)

Additional numbers attached: ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Mr. Reid G. Adler

Internal Address: Morgan, Lewis & Bockius LLP

Street Address: 1800 M Street, N.W.

City: Washington State: D.C. Zip: 20036

6. Total number of applications and patents involved: 1

7. Total fee (37 C.F.R §3.41): \$40.00

☒ Previously Paid

☐ Authorized to be charged to deposit account 50-0310

8. Deposit account number: 50-0310

Attach duplicate of page if paying by deposit account

9. Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Michael S. Tuscan

Name of Person Signing

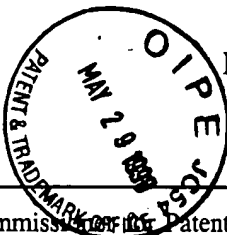
*Michael S. Tuscan*

Signature

September 9, 1998

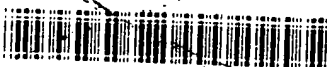
Date

Total number of pages including cover sheet, attachments and documents: 2



REC

06-11-1998



100735195

JET

Attorney Docket No.: 044574-5022-01

To the Assistant Commissioner for Patents:  
Please record the attached original documents or copy thereof.

ATTN: BOX ASSIGNMENT

1. Name of conveying party(ies):

Dario C. ALTIERI

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name:

Internal Address:

Street Address

City:

State:

Zip:

3. Nature of conveyance:

☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: December 11, 1997

Additional name(s) & address(es) attached?

☐ Yes ☐ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application the execution date of the application is:

A. Patent Application No.(s): 08/975,080

B. Patent No.(s)

Additional numbers attached: ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Mr. Reid G. Adler

Internal Address: Morgan, Lewis & Bockius LLP

Street Address: 1800 M Street, N.W.

City: Washington State: ~~MD~~ DC Zip: 20036

6. Total number of applications and patents involved: 1

7. Total fee (37 C.F.R §3.41): \$40.00

☒ Enclosed

☐ Authorized to be charged to deposit account 50-0310

8. Deposit account number: 50-0310

Attach duplicate of page if paying by deposit account

9. Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Reid G. Adler

Name of Person Signing

Michael S. Tuscan P43,210  
Michael S. Tuscan Signature

May 29, 1998

Date

Total number of pages including cover sheet, attachments and documents: 2

ASSIGNMENT

WHEREAS I/We, the below named inventor(s), [hereinafter referred to as Assignor(s)], have made an invention entitled:

**SURVIVIN, A PROTEIN THAT INHIBITS CELLULAR APOPTOSIS, AND ITS MODULATION**

for which I/WE executed an application for United States Letters Patent concurrently herewith; or on \_\_\_\_\_; or filed an application for United States Letters Patent on November 20, 1997, (Serial No. \_\_\_\_\_); and

WHEREAS, Yale University, a corporation of Connecticut, whose post office address is 451 College Street, New Haven, CT 06510 (hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention in all countries throughout the world, and in and to the application for United States Letters Patent on this invention and the Letters Patent to be issued upon this application;

NOW THEREFORE, be it known that, for and in consideration of the sum of One Dollar (\$1.00) in hand paid and other good and valuable consideration the receipt of which from assignee is hereby acknowledged, I/WE, as assignor(s), have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the assignee, its lawful successors and assigns, MY/OUR entire right, title, and interest in and to this invention and this application, and all divisions, all provisionals, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and all rights to claim priority on the basis of such application, and all applications for Letters Patent which may hereafter be filed for this invention in any foreign country and all Letters Patent which may be granted on this invention in any foreign country, and all extensions, renewals, and reissues thereof; and I/WE hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent for this invention to assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, I/WE HEREBY covenant that I/WE have the full right to convey the interest assigned by this Assignment, and I/WE have not executed and will not execute any agreement in conflict with this Assignment;

AND, I/WE HEREBY further covenant and agree that I/WE will, without further consideration, communicate with assignee, its successors and assigns, any facts known to ME/US respecting this invention, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said assignee, its successors or assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the assignee, its successors and assigns.

AND, I/WE HEREBY authorize and request the attorneys I/WE have empowered in the Declaration and Power of Attorney in this application, to insert here in parentheses (Application No. 08 / 975, 080 filed November 20, 1997) the filing date and application number of said application when known.

IN TESTIMONY WHEREOF, I/WE have hereunto set our hand(s).

County of _____	_____	Dario C. Altieri	_____
State of _____		Full Name of Sole or First Assignor	
	SS.	100 Reservoir Street, Hamden, CT 06517	_____
		Address	
Subscribed and sworn to before me this ____ day of _____, 19 <u>97</u> .		_____	_____
		First Assignor's Signature	
_____ Notary Public		12/11/97	_____
		Date	
County of _____		_____	_____
State of _____		Full Name of Second Assignor	
	SS.	_____	_____
		Address	
Subscribed and sworn to before me this ____ day of _____, 19 <u>97</u> .		_____	_____
		Second Assignor's Signature	
_____ Notary Public		_____	_____
		Date	
Names of additional inventors attached [ ] Yes [x] No			



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

10/18/00  
09/698825  
JCE13 U.S. PTO

AUGUST 13, 1998

PTAS

MORGAN, LEWIS & BOCKIUS LLP  
MR. REID G. ADLER  
1800 M STREET, N.W.  
WASHINGTON, DC 20036

RECEIVED

\*100735195A\*

AUG 18 1998

MORGAN, LEWIS & BOCKIUS LLP

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF NON-RECORDATION OF DOCUMENT

DOCUMENT ID NO.: 100735195

THE ENCLOSED DOCUMENT HAS BEEN EXAMINED AND FOUND NON-RECORDABLE BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. THE REASON(S) FOR NON-RECORDATION ARE STATED BELOW. DOCUMENTS BEING RESUBMITTED FOR RECORDATION MUST BE ACCOMPANIED BY A NEW COVER SHEET REFLECTING THE CORRECT INFORMATION TO BE RECORDED AND THE DOCUMENT ID NUMBER REFERENCED ABOVE.

THE ORIGINAL DATE OF FILING OF THIS ASSIGNMENT DOCUMENT WILL BE MAINTAINED IF RESUBMITTED WITH THE APPROPRIATE CORRECTION(S) WITHIN 30 DAYS FROM THE DATE OF THIS NOTICE AS OUTLINED UNDER 37 CFR 3.51. THE RESUBMITTED DOCUMENT MUST INCLUDE A STAMP WITH THE OFFICIAL DATE OF RECEIPT UNDER 37 CFR 3. APPLICANTS MAY USE THE CERTIFIED PROCEDURES UNDER 37 CFR 1.8 OR 1.10 FOR RESUBMISSION OF THE RETURNED PAPERS, IF THEY DESIRE TO HAVE THE BENEFIT OF THE DATE OF DEPOSIT IN THE UNITED STATES POSTAL SERVICE.

SEND DOCUMENTS TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231. IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, YOU MAY CONTACT THE INDIVIDUAL WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.

1. THE COVER SHEET SUBMITTED FOR RECORDING IS NOT ACCEPTABLE. THE NAME AND ADDRESS OF THE RECEIVING PARTY(S) MUST BE INDICATED ON THE COVER SHEET.

MAURICE CARTER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS